

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JESSICA DE LA ROSA,

Plaintiff,

Case No. 15CV9943

-against-

AFFIRMATION IN
SUPPORT OF REQUEST

AURA LLC D/B/A MICKEY SPILLANE'S and
350 WEST 49TH STREET LIMITED PARTNERSHIP,

Defendants.

Donald J. Weiss, an attorney duly admitted to the Southern District Court of New York,
states as follows :

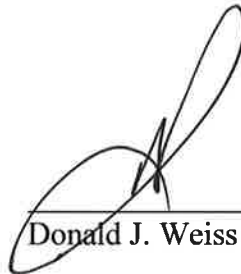
1. I am the attorney for plaintiff in the above captioned action.
2. This action was commenced pursuant to Title III of the Americans with Disabilities Act 42 U.S.C. § 12181, et seq..
3. As demonstrated by the affidavit of service filed herein, defendants AURA LLC D/B/A MICKEY SPILLANE'S ("Aura") was served with a summons and complaint on January 8, 2016, by service on the Secretary of State, as authorized agent for service of process and 350 WEST 49TH STREET LIMITED PARTNERSHIP ("350 West"; Aura and 350 West being collectively designated as the "Defendants") was served with a summons and complaint on January 11, 2016, by service on the Secretary of State, as authorized agent for service of process.
5. The time to answer or otherwise move with respect to the complaint has expired.
6. The Defendants have not answered or otherwise moved with respect to the complaint and the time to do so has not been extended.
7. The Defendants are not infants or incompetents nor are they presently in the military service of the United States, as appears from the facts in this litigation.

8. This action seeks declaratory and injunctive relief to compel the Defendants to bring the Defendants' property into compliance with the ADA, compensatory damages to plaintiff, pursuant to N.Y. Exec. Law § 297(9) and N.Y. Civ. Rights section 40-d, and reasonable attorney's fees, expert's fees and costs, pursuant to 42 U.S.C. § 12205.

WHEREFORE, the plaintiff requests that the default of defendants AURA LLC D/B/A MICKEY SPILLANE'S and 350 WEST 49TH STREET LIMITED PARTNERSHIP be noted and a certificate of default issued.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief, that the relief claimed is justly due to plaintiff, and that no part thereof has been satisfied.

Dated: New York, New York
March 8, 2016



Donald J. Weiss